

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
S/S Baltimore National Pike,  
900 ft. W of Rolling Road \* ZONING COMMISSIONER  
6335 & 6405 Balto.Nat'l Pike  
1st Election District \* OF BALTIMORE COUNTY  
1st Councilmanic District  
Legal Owner: Mukesh H. Lavani \* Case No. 96-462-A  
Home Style Inn, Inc.  
Contract Purchaser/Lessee:  
J. Lawrence Mekulski/40 Motel Ltd. Part.

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property known as 6335 and 6405 Baltimore National Pike, located adjacent to U.S. Route 40 in western Baltimore County. The property is owned by Mukesh H. Lavani, property owner, and under contract to be purchased by J. Lawrence Mekulski on behalf of 40 Motel Ltd. Partnership. The variance request is to allow parking spaces with a 0 ft. setback to a street right of way line in lieu of the required minimum of 10 ft., pursuant to Section 409.8(A)(4). The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was J. Lawrence Mekulski, Contract Purchaser. Also present was Thomas Church, from Development Engineering Consultants, Inc., and William Monk. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is a rectangularly shaped lot, with frontage on U.S. Route 40 in western Baltimore County. The property is located along the highly commercialized/business corridor of U.S. Route 40. The property is proposed for development with a 1 story service garage building which will be occupied by National Tire Warehouse. Moreover, a second building to be occupied by the First Union Bank is also proposed. The Petitioner previously obtained

MICROFILMED

ORDER RECEIVED FOR FILING  
Date 6/28/96  
By M. Monk

approval for this redevelopment of the site and has, in fact, submitted and received approval for its landscape plan. Apparently, in the course of completing preparations for redevelopment, it was discovered that the subject variance is necessary. As shown on the site plan, and in photographs submitted, a narrow grass strip separates the parking lot paving on site from U.S. Route 40. This narrow grass strip is actually the right of way in favor of the State Highway Administration for U.S. Route 40. A similar configuration is present on adjacent and nearby properties.

The Petitioner proposes landscaping this strip and requests approval to retain that row of parking spaces which abut the strip. There are 23 parking spaces in that row and Messrs. Church and Monk indicated that a loss of those perpendicular spaces would reduce parking availability on site. Moreover, both witnesses indicated that the uniqueness of the property was generated by its unusual topography and grade and that retention of the perpendicular spaces as described would be consistent with the surrounding locale and appropriate.

Based on the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. The testimony and evidence offered on behalf of the Petitioner is persuasive. I am convinced that the Petitioner has satisfied the requirements of Section 307 of the BCZR and the case law. The grant of variance relief, as requested, is appropriate particularly in view of the nature of the surrounding locale. Moreover, it is clear that the required variance relief is consistent with the BCZR and will not be detrimental to surrounding properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

ORDER RECEIVED FOR FILING

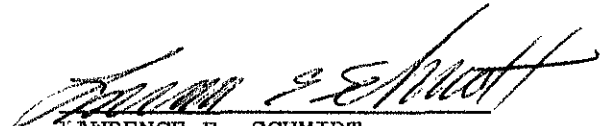
Date

By

6/28/96  
M. P. P. P.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of June, 1996 that a variance from Section 409.8(A)(4) to allow a 0 ft. setback to a street right of way line, in lieu of the required minimum of 10 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 26, 1996

Mr. William Monk  
William Monk, Inc.  
222 Bosley Avenue, Suite C-6  
Towson, Maryland 21204

Mr. Thomas Church  
Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, Maryland 21212

RE: Case No. 96-462-A, Petition for Zoning Variance  
Location: 6335-6405 Baltimore National Pike  
Legal Owner: Mukesh H. Lavani  
Contract Purchaser: J. Lawrence Mekulski, Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

c: Mr. J Lawrence Mekulski  
40 Motel Ltd. Partnership  
c/o KLN B Inc.  
100 West Road, Suite 505  
Towson, Md. 21204

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# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at #6335 & 6405 BALTIMORE NATIONAL PIKE

96-462-A

which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.8 (A) (4) :

To allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED LETTER.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

J. LAWRENCE MEKULSKI

(Type or Print Name)

Signature

40 MOTEL LIMITED PARTNERSHIP  
100 WEST RD., SUITE 505

Address

TOWSON, MD 21204  
City State Zipcode

Attorney for Petitioner

NOT SELECTED

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

MUKESH H. LAVANI

(Type or Print Name)

Signature

(Type or Print Name)

Signature

HOME-STYLE INN, INC.

6401 BALTIMORE NATIONAL PIKE

Address

Phone No.

BALTIMORE,

MD

21228

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

THOMAS A. CHURCH

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

6603 YORK RD., BALTO. MD 21212 410-377-2600

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

# DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road  
Baltimore, Maryland 21212  
(410) 377-2600  
(410) 377-2625 Fax

May 17, 1996

96-462-A

Baltimore County  
Department of Permits &  
Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Office of Zoning

Gentlemen:

Subject: #6335 & 6405 Baltimore National Pike  
Variance from Zoning Regulations Request  
Our Contract No.: 95-133

This letter is to serve as our summary of reasons why we are requesting a variance from zoning regulations.

We are requesting a variance from Section 409.8 (A) (4) of the Baltimore County Zoning Regulations by requesting a zero foot setback from the right-of-way line of U.S. Route 40 (Baltimore National Pike) in lieu of the required 10 foot setback for the proposed parking spaces.

Our reasons for the above request are as follows:

1. The existing on-site parking being used now has a zero foot setback. This has been the case since 1961, when the existing motel was originally built.
2. The adjacent property on east side has a zero setback line to their existing parking, and is common throughout this area. Keeping the parking in the location it now currently exists would maintain the existing uniformity of parking in the general area. Compliance with Section 409.8(A) (4) would disturb this established conformity.
3. The parking of cars at the right-of-way line of U.S. Route 40 does not present an adverse condition to the safety and general welfare of the public, in that it does not now, nor will it, interfere with vehicular or pedestrian traffic, or sight distances.
4. Requiring the standard setback (10') to the parking would require the site to incorporate parallel parking which is acceptable, however, not desirable.

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Baltimore County  
May 17, 1996  
Page 2

96-462-A

This arrangement on the NTW portion of the site just meets the minimum number of required outside parking spaces of 39.

Because of the above reasons, we believe that being allowed to maintain a zero foot setback to parking along the right-of-way line of U.S. Route 40 results in:

- a. A better arrangement of on-site parking,
- b. Maintaining the established development trend in this area.

If any questions arise relative to the above, please do not hesitate to contact our office.

Very truly yours,



Thomas A. Church  
President

Enclosures

cc: 40 Motel Limited Partnership  
Home-Style Inn, Inc.

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96-462-A

# DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road  
Baltimore, Maryland 21212  
(410) 377-2600  
(410) 377-2625 Fax

## ZONING DESCRIPTION

6401 CENTER  
1ST. ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

467

BEGINNING for the same at a pipe found in the southerly right-of-way line of the Baltimore National Pike as shown on State Road Commission of Maryland Right-of-Way Plat Numbers 2559 and 2330 said pipe being at the beginning of the first of South 43 degrees 35 minutes West 1019.12 foot line of that parcel of land conveyed by Henry L. Wessell, et al. to Motels of Maryland, Inc. by Deed dated February 23, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3673, Folio 182, said pipe being also at the northwesternmost corner of a plat titled Plat of Section One "Geipe Tract" dated October 6, 1961 and recorded among the Plat Records of Baltimore County in Liber W.J.R. 28, Folio 10 1) thence, as now surveyed, South 36 degrees 33 minutes 30 seconds West 1019.25 feet; 2) thence North 71 degrees 07 minutes 30 seconds West 173.78 feet, 3) thence North 26 degrees 41 minutes 12 seconds East, 976.02 feet to a pipe found in the southerly right-of-way line of the Baltimore National Pike 4) thence South 71 degrees 48 minutes 00 seconds East 350.75 feet to the place of beginning.

CONTAINING 253,674 square feet or 5.824 acres of land, more or less.

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96-462-A

BEING all of that parcel of land conveyed by Henry L. Wessell, et at. to Motels of Maryland, Inc. by Deed dated February 23, 1969 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3673, Folio 182.

95-133

05-17-96



RECORDED

96-4462-17

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

District 13T Varience Date of Posting 6/17/96

Posted for: Mukash Bedoni/Homo Style Inn

Petitioner: 6335+ 6405 Route No. 1, S/S

Location of property: 6335+ 6405 Route No. 1, S/S

Location of Sign: Facing road on property being zoned

Remarks: \_\_\_\_\_ Date of return: 6/14/96

Posted by: M. Kelly Signature \_\_\_\_\_

Number of Signs: 1



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**NOTICE OF HEARING**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-462-A  
(Item 467)

6335 and 6405 Baltimore National Pike  
S/S Baltimore National Pike,  
900 W of Rolling Road  
1st Election District  
1st Courtdistrict

Legal Owner(s):

Mulheise, H. Laway/Home-

Style Inn, Inc.

Contract Purchaser/lessee:

J. Lawrence Meadows/40

Model Ltd. Part.

Variance: to allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

Hearing: Monday, June 24, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

6/03/96 June 6

CS7286

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., June, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June, 1996.

THE JEFFERSONIAN,

*A. H. Williams*  
LEGAL AD. - TOWSON

RECORDED

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

Form No. 107611  
1/62

DATE 2-4-76 ACCOUNT R. C. C. 10000

AMOUNT \$ 285.00

RECEIVED FROM: TDW CORP

210-000 Commercial Vehicle Policy for 2501  
10800 - 10000 - 10000 - 10000 - 10000 - 10000

FOR: 10000 - 10000 - 10000 - 10000 - 10000 - 10000

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VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

96-462-A



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 467 Petitioner: Homestyle Inn Inc.  
(M. Bavani)  
Location: 6335 & 6405 Balto National Pike

PLEASE FORWARD ADVERTISING BILL TO:

NAME: T. A. Church  
ADDRESS: 510 Dunkirk Rd.  
Balto. Md. 21212  
PHONE NUMBER: 377-2600

TO: PUTUXENT PUBLISHING COMPANY  
June 6, 1996 Issue - Jeffersonian

Please forward billing to:

Thomas A. Church  
Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, MD 21212  
410-377-2600

---

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-462-A (Item 467)  
6335 and 6405 Baltimore National Pike  
S/S Baltimore National Pike, 900' W of Rolling Road  
1st Election District - 1st Councilmanic  
Legal Owner(s): Mukesh H. Lavani/Home-Style Inn, Inc.  
Contract Purchaser/Lessee: J. Lawrence Mekulski/40 Motel Ltd. Part.

Variance to allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

HEARING: MONDAY, JUNE 24, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-462-A (Item 467)  
6335 and 6405 Baltimore National Pike  
S/S Baltimore National Pike, 900' W of Rolling Road  
1st Election District - 1st Councilmanic  
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Contract Purchaser/Lessee: J. Lawrence Mekulski/40 Motel Ltd. Part.

Variance to allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

HEARING: MONDAY, JUNE 24, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon  
Director

cc: Mukesh H. Lavani/Home-Style Inn, Inc.  
J. Lawrence Mekulski/40 Motel Ltd. Part.  
Thomas A. Church

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 13, 1996

Mr. Mukesh H. Lavani  
Home-Style Inn, Inc.  
6401 Baltimore National Pike  
Baltimore, MD 21228

RE: Item No.: 467  
Case No.: 96-462-A  
Petitioner: Mukesh H. Lavani

Dear Mr. Lavani:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 17, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
           Department of Permits & Development  
           Management

Date:   June 10, 1996

FROM:      Robert W. Bowling, Chief  
           Development Plans Review Division

SUBJECT:   Zoning Advisory Committee Meeting  
           for June 10, 1996  
           Item No. 467

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, Specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Final Landscape Plan that has already been approved assumed the requested variance had already been granted.

RWB:HJO:jrb

cc:   File

ZONE12C

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Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 05/20/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: MUKESH H. LAVANI

Location: S/S BALTIMORE NATIONAL PK., 900' W OF ROLLING RD.  
(6335 & 6405 BALTIMORE NATIONAL PK.)

Item No.: 467

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink  
on Recycled Paper

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**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

6-4-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 467 (JSS)

Dear Ms. Watson:

is This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 46 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

*for* *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Permits and Development  
Management

**DATE:** June 12, 1996

**FROM:** Pat Keller, Director  
Office of Planning

**SUBJECT:** Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 467, 471, 472, 473, 474, 480, 482, 484, 485, 488, and 489

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Cam L. Kerns*

PK/JL

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ITEM467/PZONE/ZAC1

# PETITION PROBLEMS

## **#461 --- MJK**

1. No telephone number for legal owner.

## **#462 --- JLL**

1. No review information on bottom of petition form.

## **#463 --- MJK**

1. Undersized lot information not in folder (only 1 copy of form).

## **#464 --- JRF**

1. No zoning on folder.
2. No acreage on folder.
3. No election district on folder.
4. No councilmanic district on folder.
5. Old petition form was used - no address or zoning on form.

## **#466 --- CAM**

1. No review information on bottom of variance petition.
2. Wording on special hearing petition is incomplete.

## **#467 --- JJS**

1. No review information on bottom of petition form.
2. Petition says zoning is "BR"; folder says zoning is "BR-CSA & BR-CCC".

## **#470 --- CAM**

1. No review information on bottom of petition form.
2. No item number on petition form.

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May 30, 1996

RE: PETITION FOR VARIANCE	*	BEFORE THE
6335 and 6405 Baltimore National Pike		
S/S Baltimore National Pike, 900' W of	*	ZONING COMMISSIONER
Rolling Road, 1st Election District,		
1st Councilmanic	*	OF BALTIMORE COUNTY
Legal Owner(s): Mukesh H. Lavani/	*	CASE NO. 96-462-A
Home-Style Inn, Inc.		
Contract Purchaser/Lessee:	*	
J. Lawrence Mekulski/40 Motel Ltd. Part.		
Petitioners	*	

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24<sup>th</sup> day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212, representative for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bill MONIK

222 BULLIST AVE

SUITE C-6

TOWSON, MD 21204

Tom Church

Development Engr. Consult H.

6603 York Rd.

Bethesda, Md. 21212

J. LAWRENCE MEKULSKI

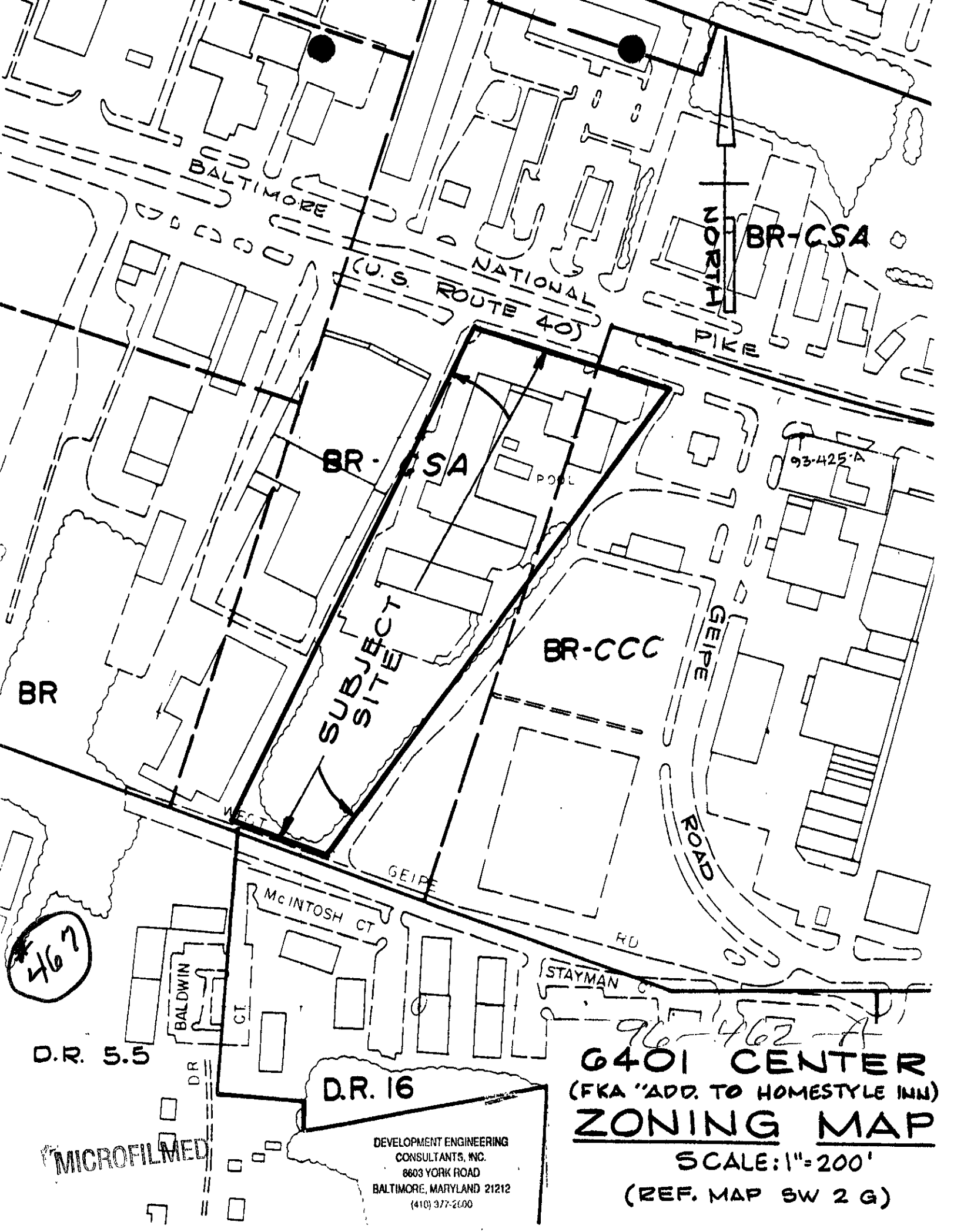
40 MOTEL Limited Partnership

C/O K L N B INC.

100 WEST ROAD, STE 505

TOWSON MD, 21204





BALTIMORE

U.S. NATIONAL ROUTE 40

NORTH

BR-CSA

BR-CSA

BR-CCC

BR

SUBJECT SITE

93-425-A

GEIPE ROAD

WEST

GEIPE RD

McINTOSH CT

STAYMAN

BALDWIN CT

D.R. 16

D.R. 5.5

6401 CENTER  
(FKA "ADD. TO HOMESTYLE INN")  
**ZONING MAP**

SCALE: 1"=200'

(REF. MAP SW 2 G)

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DEVELOPMENT ENGINEERING  
CONSULTANTS, INC.  
8603 YORK ROAD  
BALTIMORE, MARYLAND 21212  
(410) 377-2000



COURTHOUSE COMMONS  
222 BOSLEY AVENUE  
SUITE C-6  
TOWSON, MD 21204  
410-494-8931  
FAX 410-494-9903

## **WILLIAM MONK, INC.**

**SITE PLANNING/DESIGN • ZONING • DEVELOPMENT SERVICES**

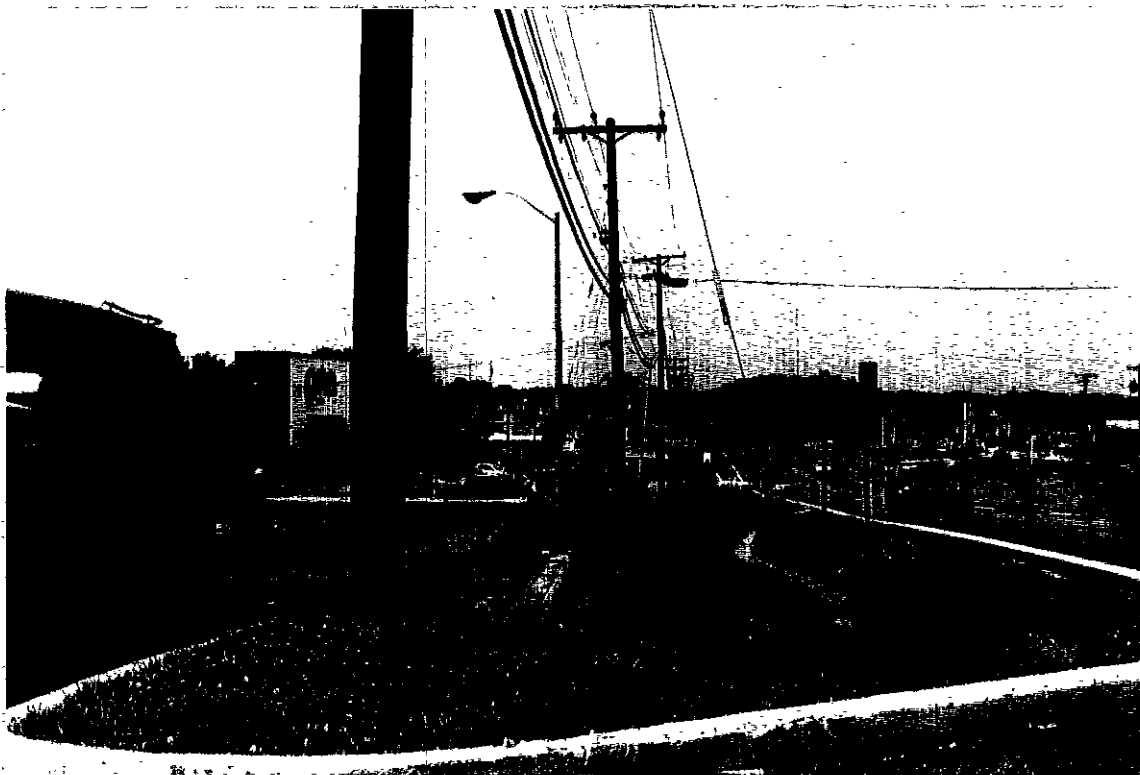


**MICROFILMED**

COURTHOUSE COMMONS  
222 BOSLEY AVENUE  
SUITE C-6  
TOWSON, MD 21204  
410-494-8931  
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## WILLIAM MONK, INC.

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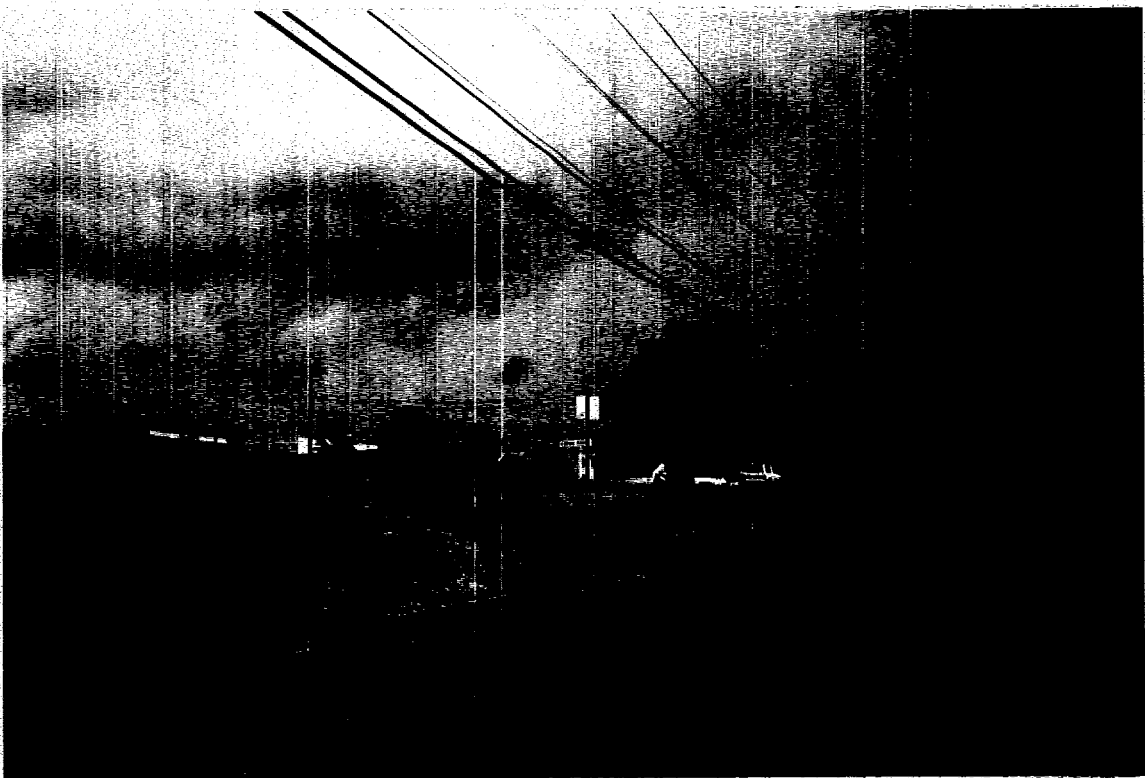


APPROVED

COURTHOUSE COMMONS  
222 BOSLEY AVENUE  
SUITE C-6  
TOWSON, MD 21204  
410-494-8931  
FAX 410-494-9903

## **WILLIAM MONK, INC.**

**SITE PLANNING/DESIGN • ZONING • DEVELOPMENT SERVICES**



ENCLOSURE



BALTIMORE NATIONAL PIKE

WALMART (NEW)

GIANT

ROLLING ROAD

40 WEST CENTER

Site

GARDINERS FURNITURE

AUTO CENTER (NEW)



45180 BUSINESS COURT, SUITE 800, STERLING, VIRGINIA 20166-6706  
PHONE (703) 471-4510 FAX (703) 471-8092

**B9129**

**Date of Photography: 10-09-95**

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IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
S/S Baltimore National Pike, \* ZONING COMMISSIONER  
900 ft. W of Rolling Road \*  
6335 & 6405 Balto. Nat'l Pike \* OF BALTIMORE COUNTY  
1st Election District \*  
Legal Owner: Mukesh H. Lavani \* Case No. 96-462-A  
Home Style Inn, Inc.  
Contract Purchaser/Lessee:  
J. Lawrence Mekulski/40 Motel Ltd. Part.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property known as 6335 and 6405 Baltimore National Pike, located adjacent to U.S. Route 40 in western Baltimore County. The property is owned by Mukesh H. Lavani, property owner, and under contract to be purchased by J. Lawrence Mekulski on behalf of 40 Motel Ltd. Partnership. The variance request is to allow parking spaces with a 0 ft. setback to a street right of way line in lieu of the required minimum of 10 ft., pursuant to Section 409.8(A)(4). The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was J. Lawrence Mekulski, Contract Purchaser. Also present was Thomas Church, from Development Engineering Consultants, Inc., and William Monk. There were no protestants or other interested persons present.

Testimony and evidence presented was that the subject site is a rectangularly shaped lot, with frontage on U.S. Route 40 in western Baltimore County. The property is located along the highly commercialized/business corridor of U.S. Route 40. The property is proposed for development with a 1 story service garage building which will be occupied by National Tire Warehouse. Moreover, a second building to be occupied by the First Union Bank is also proposed. The Petitioner previously obtained

approval for this redevelopment of the site and has, in fact, submitted and received approval for its landscape plan. Apparently, in the course of completing preparations for redevelopment, it was discovered that the subject variance is necessary. As shown on the site plan, and in photographs submitted, a narrow grass strip separates the parking lot paving on site from U.S. Route 40. This narrow grass strip is actually the right of way in favor of the State Highway Administration for U.S. Route 40. A similar configuration is present on adjacent and nearby properties.

The Petitioner proposes landscaping this strip and requests approval to retain that row of parking spaces which abut the strip. There are 33 parking spaces in that row and Messrs. Church and Monk indicated that a loss of those perpendicular spaces would reduce parking availability on site. Moreover, both witnesses indicated that the uniqueness of the property was generated by its unusual topography and grade and that retention of the perpendicular spaces as described would be consistent with the surrounding locale and appropriate.

Based on the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. The testimony and evidence offered on behalf of the Petitioner is persuasive. I am convinced that the Petitioner has satisfied the requirements of Section 307 of the BZCR and the case law. The grant of variance relief, as requested, is appropriate particularly in view of the nature of the surrounding locale. Moreover, it is clear that the required variance relief is consistent with the BZCR and will not be detrimental to surrounding properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 26, 1996

Mr. William Monk  
William Monk, Inc.  
222 Bosley Avenue, Suite C-6  
Towson, Maryland 21204

Mr. Thomas Church  
Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, Maryland 21212

RE: Case No. 96-462-A, Petition for Zoning Variance  
Location: 6335-6405 Baltimore National Pike  
Legal Owner: Mukesh H. Lavani  
Contract Purchaser: J. Lawrence Mekulski, Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt  
Zoning Commissioner

LES:mn

att.

cc: Mr. J. Lawrence Mekulski  
40 Motel Ltd. Partnership  
c/o KLAB Inc.  
100 West Road, Suite 505  
Towson, Md. 21204

Printed with Soybean Ink  
on Recycled Paper

Petition for Variance  
to the Zoning Commissioner of Baltimore County

for the property located at #6335 & 6405 BALTIMORE NATIONAL PIKE  
which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.8(A)(4). To allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED LETTER.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or my agent, agree to pay expenses of above variance advertisement, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County applicable pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

J. LAWRENCE MEKULSKI

40 MOTEL LIMITED PARTNERSHIP  
100 WEST RD., SUITE 505  
TOWSON, MD 21204

Address for Petitioner: NOT SELECTED

Type of Petition: VARIANCE

Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Use to determine whether and when, under the terms of Section 409.8(A)(4), the owner of the property shall be bound by the terms of this petition.

Legal Owner:

MUKESH H. LAVANI

Home-Style Inn, Inc.  
9401 BALTIMORE NATIONAL PIKE  
BALTIMORE, MD 21208

Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

THOMAS A. CHURCH

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

2401 YORK RD., BALTO. MD 21214 410-377-2600

Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

ESTIMATED LENGTH OF HEARING: \_\_\_\_\_

The following name: \_\_\_\_\_

ALL: \_\_\_\_\_ OTHER: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road  
Baltimore, Maryland 21212  
(410) 377-2600  
(410) 377-2625 Fax

May 17, 1996

Baltimore County  
Department of Permits &  
Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Office of Zoning

Gentlemen:

Subject: #6335 & 6405 Baltimore National Pike  
Variance from Zoning Regulations Request  
Our Contract No.: 95-133

This letter is to serve as our summary of reasons why we are requesting a variance from zoning regulations.

We are requesting a variance from Section 409.8 (A) (4) of the Baltimore County Zoning Regulations by requesting a zero foot setback from the right-of-way line of U.S. Route 40 (Baltimore National Pike) in lieu of the required 10 foot setback for the proposed parking spaces.

Our reasons for the above request are as follows:

1. The existing on-site parking being used now has a zero foot setback. This has been the case since 1961, when the existing motel was originally built.
2. The adjacent property on east side has a zero setback line to their existing parking, and is common throughout this area. Keeping the parking in the location it now currently exists would maintain the existing uniformity of parking in the general area. Compliance with Section 409.8(A) (4) would disturb this established conformity.
3. The parking of cars at the right-of-way line of U.S. Route 40 does not present an adverse condition to the safety and general welfare of the public, in that it does not now, nor will it, interfere with vehicular or pedestrian traffic, or sight distances.
4. Requiring the standard setback (10') to the parking would require the site to incorporate parallel parking which is acceptable, however, not desirable.

Baltimore County  
May 17, 1996  
Page 2

This arrangement on the NW portion of the site just meets the minimum number of required outside parking spaces of 39.

Because of the above reasons, we believe that being allowed to maintain a zero foot setback to parking along the right-of-way line of U.S. Route 40 results in:

- a. A better arrangement of on-site parking,
- b. Maintaining the established development trend in this area.

If any questions arise relative to the above, please do not hesitate to contact our office.

Very truly yours,

Thomas A. Church  
President

Enclosures

cc: 40 Motel Limited Partnership  
Home-Style Inn, Inc.

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road  
Baltimore, Maryland 21212  
(410) 377-2600  
(410) 377-2625 Fax

ZONING DESCRIPTION

6401 CENTER  
1ST. ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a pipe found in the southerly right-of-way line of the Baltimore National Pike as shown on State Road Commission of Maryland Right-of-Way Plat Numbers 2559 and 2330 said pipe being at the beginning of the first of South 43 degrees 35 minutes West 1019.12 foot line of that parcel of land conveyed by Henry L. Wessell, et al. to Motels of Maryland, Inc. by Deed dated February 23, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3673, Folio 182, said pipe being also at the northwesternmost corner of a plat titled Plat of Section One "Gaipe Tract" dated October 8, 1961 and recorded among the Plat Records of Baltimore County in Liber W.J.R. 28, Folio 10 1) thence, as now surveyed, South 16 degrees 33 minutes 30 seconds West 1019.25 feet; 2) thence North 71 degrees 07 minutes 30 seconds West 173.78 feet; 3) thence North 26 degrees 41 minutes 12 seconds East, 975.02 feet to a pipe found in the southerly right-of-way line of the Baltimore National Pike 4) thence South 71 degrees 48 minutes 00 seconds East 350.75 feet to the place of beginning.

CONTAINING 253,674 square feet or 5.824 acres of land, more or less.

BEING all of that parcel of land conveyed by Henry L. Wessell, et al. to Motels of Maryland, Inc. by Deed dated February 23, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3673, Folio 182.

95-133  
05-17-96



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15 Date of Posting: 6/17/96  
Posted for: Varience  
Petitioner: Mukesh H. Lavani/Home-Style Inn  
Location of property: 6335 & 6405 Baltimore National Pike, 1st Election District  
Location of Sign: Along rolling rd. between Hwy 202 & 204  
Remarks:  
Posted by: [Signature] Date of return: 6/14/96  
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE: 6-14-96 ACCOUNT: 6335 & 6405  
AMOUNT: \$ 285.00  
RECEIVED FROM: [Signature]  
FOR: [Signature]  
VALIDATION OR SIGNATURE OF CASHIER: 96-462-A

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 6/6, 1996  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/6, 1996.

THE JEFFERSONIAN,  
A. Henderson  
LEGAL AD. - TOWSON



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 462 Petitioner: Home-Style Inn, Inc.  
Location: 6335 & 6405 Baltimore National Pike  
NAME: T.A. Church  
ADDRESS: 510 Dunkirk Rd.  
Baltimore, Md. 21212  
PHONE NUMBER: 377-2600

TO: FUTURE PUBLISHING COMPANY  
June 6, 1996 Issue - Jeffersonian  
Please forward billing to:  
Thomas A. Church  
Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, MD 21212  
410-377-2600

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-462-A (Item 467)  
6335 and 6405 Baltimore National Pike  
S/S Baltimore National Pike, 900' W of Rolling Road  
1st Election District - 1st Councilmanic  
Legal Owner(s): Mukesh H. Lavani/Home-Style Inn, Inc.  
Contract Purchaser/Lessee: J. Lawrence Makulski/40 Motel Ltd. Part.

Variance to allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

HEARING: MONDAY, JUNE 24, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SUMMITT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 30, 1996  
**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-462-A (Item 467)  
6335 and 6405 Baltimore National Pike  
S/S Baltimore National Pike, 900' W of Rolling Road  
1st Election District - 1st Councilmanic  
Legal Owner(s): Mukesh H. Lavani/Home-Style Inn, Inc.  
Contract Purchaser/Lessee: J. Lawrence Makulski/40 Motel Ltd. Part.

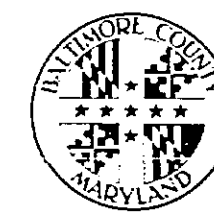
Variance to allow parking spaces with a zero (0) foot setback to the street right-of-way in lieu of the minimum required 10 feet.

HEARING: MONDAY, JUNE 24, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

[Signature]  
Arnold Jablon  
Director

cc: Mukesh H. Lavani/Home-Style Inn, Inc.  
J. Lawrence Makulski/40 Motel Ltd. Part.  
Thomas A. Church

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 13, 1996

Mr. Mukesh H. Lavani  
Home-Style Inn, Inc.  
6401 Baltimore National Pike  
Baltimore, MD 21228

RE: Item No.: 467  
Case No.: 96-462-A  
Petitioner: Mukesh H. Lavani

Dear Mr. Lavani:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 17, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

[Signature]  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development Management  
Date: June 10, 1996  
FROM: Robert W. Bowling, Chief  
Development Plans Review Division  
SUBJECT: Zoning Advisory Committee Meeting  
for June 10, 1996  
Item No. 467

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, Specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Final Landscape Plan that has already been approved assumed the requested variance had already been granted.

PWB:HJS:jrb  
cc: File

ZONE12C

Baltimore County Government  
Fire Department

700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 05/20/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1195

RE: Property Owner: MUKESH H. LAVANI  
Location: S/S BALTIMORE NATIONAL PK., 900' W OF ROLLING RD.  
(6335 & 6405 BALTIMORE NATIONAL PK.)

Item No.: 467 Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 467 (573)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 46 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BAITIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: June 12, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 467, 471, 472, 473, 474, 480, 482, 484, 485, 488, and 489

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3493.

Prepared by: Jeffrey W. Long  
Division Chief: Carl L. Kears

PK/JL

ITEM467/PZONE/ZAC1

PETITION PROBLEMS

#461 --- MJK

1. No telephone number for legal owner.

#462 --- JLL

1. No review information on bottom of petition form.

#463 --- MJK

1. Undersized lot information not in folder (only 1 copy of form).

#464 --- JRF

1. No zoning on folder.
2. No acreage on folder.
3. No election district on folder.
4. No councilmanic district on folder.
5. Old petition form was used - no address or zoning on form.

#466 --- CAM

1. No review information on bottom of variance petition.
2. Wording on special hearing petition is incomplete.

#467 --- JJS

1. No review information on bottom of petition form.
2. Petition says zoning is "BR"; folder says zoning is "BR-CSA & BR-CCC".

#470 --- CAM

1. No review information on bottom of petition form.
2. No item number on petition form.

May 30, 1996

RE: PETITION FOR VARIANCE  
6335 and 6405 Baltimore National Pike  
S/S Baltimore National Pike, 900' W of  
Rolling Road, 1st Election District,  
1st Councilmanic  
Legal Owner(s): Mukesh H. Lavani/  
Home-Style Inn, Inc.  
Contract Purchaser/Lessee:  
J. Lawrence Mekulski/40 Motel Ltd. Part.  
Petitioners  
BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 96-462-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Denilio  
CAROLE S. DENILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212, representative for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

PETITIONER(S) SIGN-IN SHEET

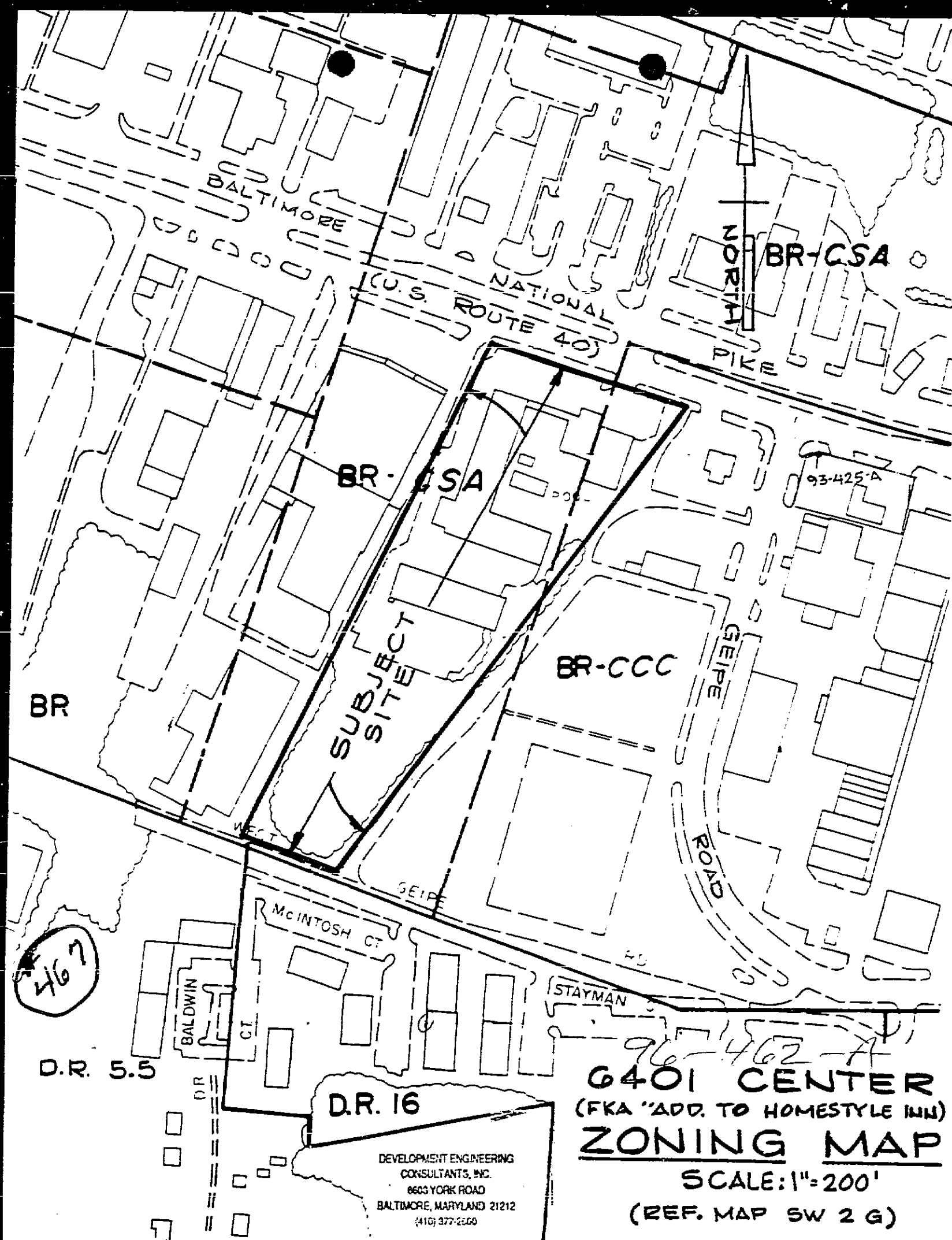
NAME

ADDRESS

Bill Monik  
222 Russell Ave  
Suite C-6  
Towson, MD 21204

Tom Church  
Development Eng. Consul. A  
6603 York Rd.  
Baltimore MD 21212

J. Lawrence Mekulski  
40 Motel Limited Partnership  
c/o R.E.N.B. Inc.  
100 West Road, Ste 505  
Towson, MD 21204





**WILLIAM MONK, INC.**

SITE PLANNING/DESIGN • ZONING • DEVELOPMENT SERVICES

COURTHOUSE COMMONS  
222 BOSLEY AVENUE  
SUITE C-6  
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**WILLIAM MONK, INC.**

SITE PLANNING/DESIGN • ZONING • DEVELOPMENT SERVICES

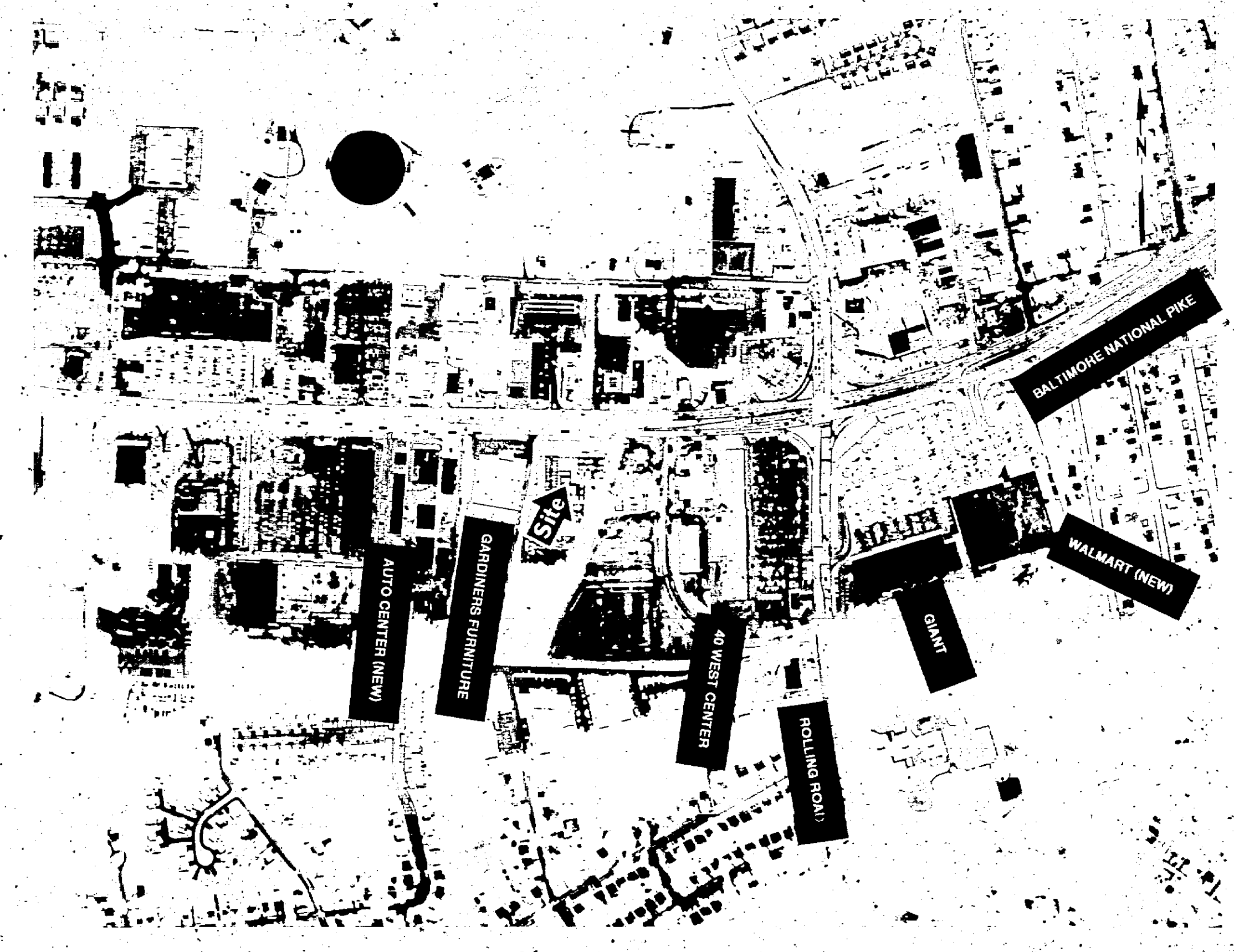
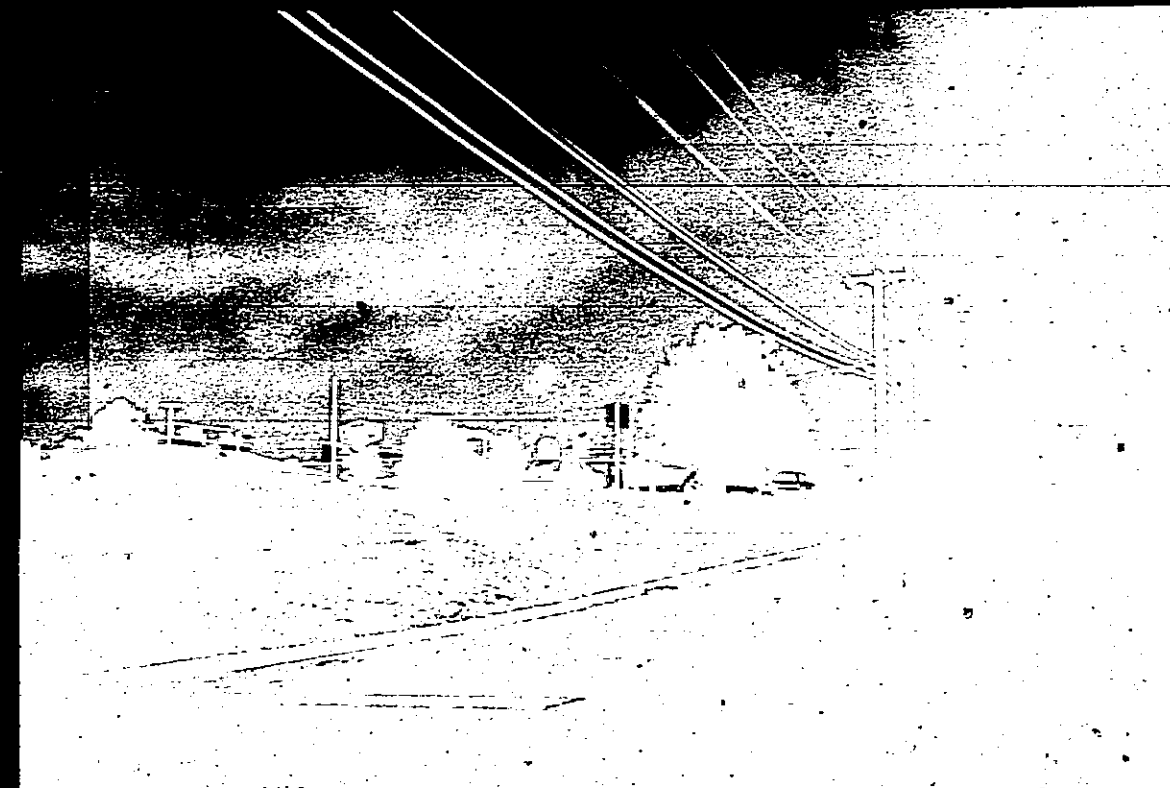
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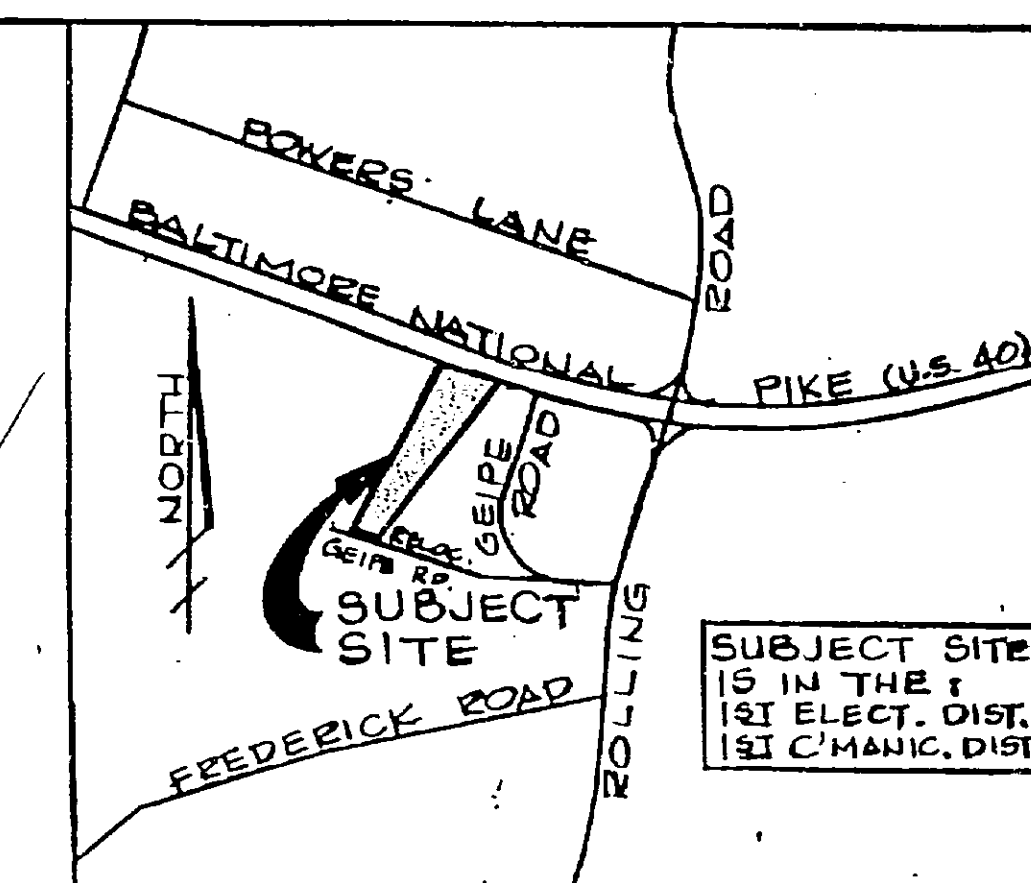
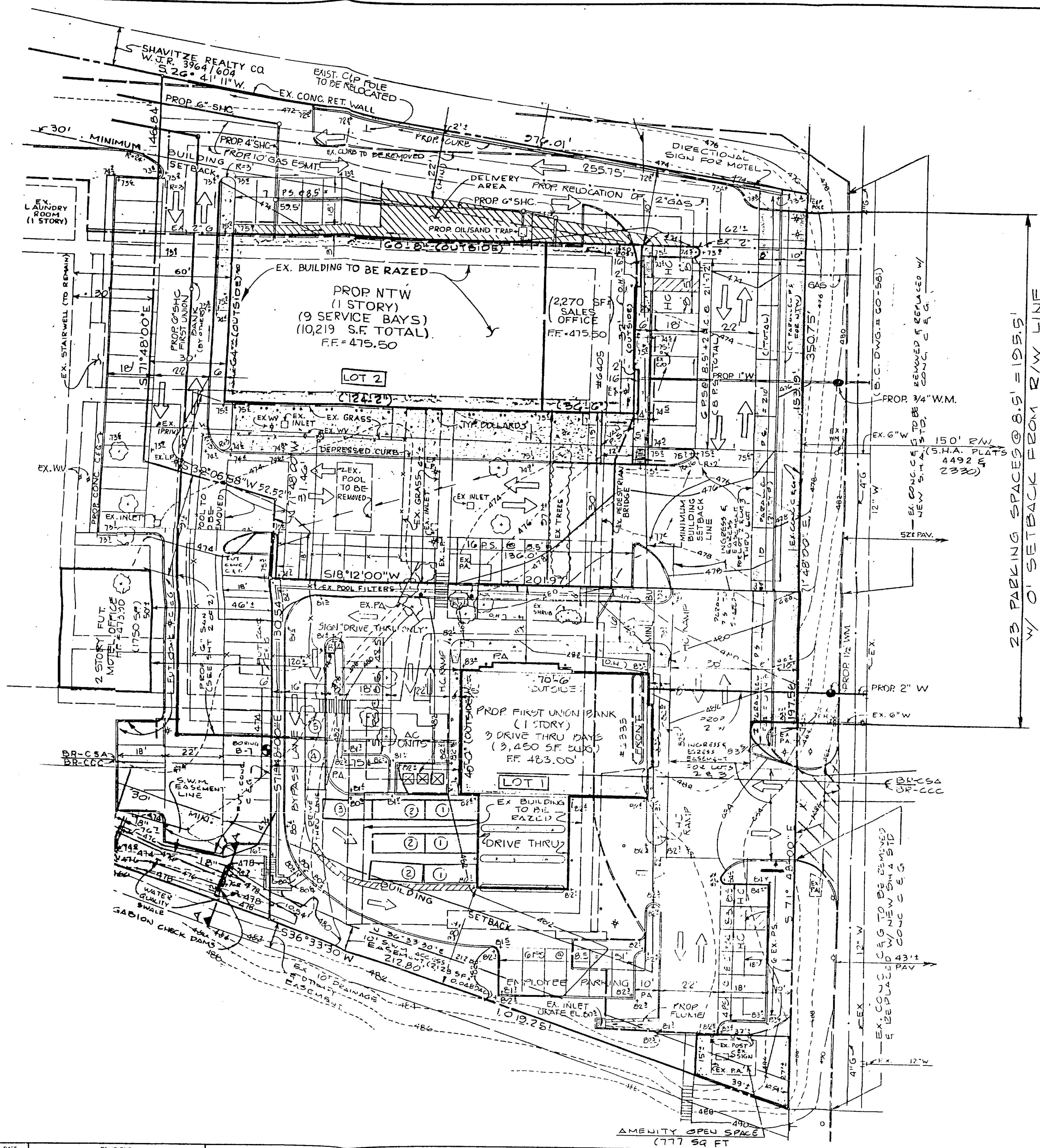
**WILLIAM MONK, INC.**

SITE PLANNING/DESIGN • ZONING • DEVELOPMENT SERVICES

COURTHOUSE COMMONS  
222 BOSLEY AVENUE  
SUITE C-6  
TOWSON, MD 21204  
410-494-8931  
FAX 410-494-9903







VICINITY MAP  
SCALE: 1" = 1,000'

LOCATION INFORMATION

ELECTION DISTRICT: 1  
COUNCILMANIC DISTRICT: 1  
1"=200' SCALE MAP: SW 2 G  
ZONING: BR-CSA & BR-CCC  
LOT SIZE: 5.824 AC  
253,674 SF.

	SEWER	PUBLIC	PRIVATE
SEWER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PUBLIC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PRIVATE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. SEE SHEET 2 OF 2 FOR ZONING OFFICE USE ONLY.

ZONING OFFICE USE ONLY!  
REVIEWED BY: ITEM# CASE#  
467

NOTE: SEE SHEET 2 OF 2 FOR ENTIRE TRACT OUTLINE AND COMPLETE LISTING OF APPLICABLE NOTES.

DRAWING: TAC DATE: 5-17-95 SHEET: 1 OF 2	DEVELOPMENT ENGINEERING CONSULTANTS, INC. SITE ENGINEERS & SURVEYORS 6603 YORK ROAD (410) 377-2600 BALTIMORE, MARYLAND 21212	APPLICANT/CONTRACT PURCHASER 20 MOTEL LIMITED PARTNERSHIP C/O J. LAWRENCE MEKULSKI 100 WEST ROAD SUITE 505 TOWSON, MD 21204	PLAT TO ACCOMPANY VARIANCE REQUEST FOR #0335 & #6405 BALTIMORE NATIONAL PIKE 1ST ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND	SHEET: 1 OF 2 DATE: 5-17-95 SCALE: 1"=20' CONTRACT NUMBER: 95-133
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